

Canal Winchester

*Town Hall
10 North High Street
Canal Winchester, OH 43110*



Meeting Agenda

August 7, 2017

6:45 p.m.

PUBLIC HEARING

City Council

*Steve Donahue - President
Will Bennett – Vice-President
Bob Clark
Bruce Jarvis
Bobbie Mershon
Mike Walker
Jim Wynkoop*

Call To Order

Roll Call

Purpose of Public Hearing

[APL-17-001](#)

NOTICE OF APPEAL REGARDING THE DENIAL OF
CONDITIONAL USE APPLICATION CU-17-003 BY
PLANNING AND ZONING COMMISSION TO ALLOW
AUTOZONE AT 6348 GENDER ROAD (PID 184-002664)

Appellants: Casto Gender Road, LLC and AutoZone
Development, LLC

Attachments: [CU-17-003 AutoZone Appeal Letter](#)

[CU-17-003 Findings of Fact](#)

[CU-17-003 Staff Report](#)

[CU-17-003 AutoZone Application](#)

Staff Presentation (15 Minutes)

Appellants Presentation (15 Minutes)

Public Comments – Five Minute Limit Per Person

Council Discussion and Questions

Adjournment

RECEIVED

JUN 21 2017

CITY OF CANAL WINCHESTER

BEFORE THE CITY COUNCIL OF
THE CITY OF CANAL WINCHESTER, OHIO

CASTO GENDER ROAD, LLC
250 Civic Center Drive, Suite 500
Columbus, Ohio 43215,

and

AUTOZONE DEVELOPMENT, LLC.
c/o Steven Waldo
123 South Front Street, 3rd Floor
Memphis, Tennessee 38103

Appellants,

v.

PLANNING AND ZONING COMMISSION
FOR CANAL WINCHESTER, OHIO,
Municipal Building
36 South High Street
Canal Winchester, Ohio 43110

Appellee.

Conditional Use Application
No. CU-17-003

NOTICE OF APPEAL

Pursuant to Canal Winchester Zoning Code Section 1145.06, Casto Gender Road, LLC and AutoZone Development, LLC (collectively, "Appellants") hereby appeal the June 12, 2017 decision of the Planning and Zoning Commission of the City of Canal Winchester, Ohio denying Conditional Use Application No. CU-17-003. Attached hereto as Exhibit A are the Findings of Fact and Decision from which Appellants appeal.

Appellants hereby request a hearing and decision upon this appeal in conformity with the requirements of Canal Winchester Zoning Code Section 1145.06.

Respectfully submitted,



Joseph R. Miller (0068463)

Christopher L. Ingram (0086325)

Kara M. Mundy (0091146)

VORYS, SATER, SEYMOUR AND PEASE LLP

52 East Gay Street

P.O. Box 1008

Columbus, Ohio 43216-1008

Phone: (614) 464-6400

Fax: (614) 719-4630

jrmiller@vorys.com

clingram@vorys.com

kmmundy@vorys.com

Counsel for Appellants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was served via hand delivery and email this 21st day of June, 2017 upon Amanda Jackson, Clerk of Council of the City of Canal Winchester, Ohio, 36 S. High Street, Canal Winchester, Ohio 43110, ajackson@canalwinchesterohio.gov.



Kara M. Mundy

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF CANAL WINCHESTER**

In re Application of CASTO Gender Road
LLC representing AutoZone Development
LLC for a Conditional Use Permit for Parcel
No. 184-002664, located at 6348 Gender
Road for a 6,707 sq. ft. AutoZone

This application is before the Commission on CASTO's conditional use application to allow an automobile repair and services store and an automobile convenience market use within the General Commercial District. The Commission makes the following findings of fact and conclusions of law.

I. FINDINGS OF FACT

1. On April 17, 2017, CASTO Gender Road LLC submitted an Application for a Conditional Use Permit for an automobile parts and accessory store located at Outlot 9 of Waterloo Crossing located on Gender Road, parcel number 184002664. The subject property is in the Waterloo Crossing Shopping Center, which is zoned General Commercial District (GC). Properties to the north, east, and south are developed properties in the GC zoning district. Properties to the west, across Gender Road, are developed properties zoned Planned Commercial District (PCD).

2. CASTO contends that the proposed development of the Property at issue is a permitted use within the GC zoning district under Section 1167.02. Specifically, it claims that the proposed AutoZone is a "retail store[] primarily engaged in selling merchandise for personal or household consumption", a "miscellaneous general merchandise store," and a "miscellaneous retail store not elsewhere classified." (§1167.02(a)(1) & (9).)

3. The City made a request to CASTO to submit a conditional use permit application. CASTO complied, under protest.

4. On May 8, 2017 the Planning and Zoning Commission held a public hearing on CASTO's application for a conditional use permit. The Planning and Zoning Commission reviewed the materials submitted with the application and heard testimony from representatives of CASTO. The Planning and Zoning Commission went into Executive Session to discuss this quasi-judicial matter. Upon reconvening the public hearing, the Planning and Zoning Commission voted to table the Conditional Use permit so that it would have additional time to consider the materials and public hearing testimony and to prepare written Findings of Fact and Conclusions of Law, pursuant to Section 1145.04 of the Codified Ordinances.

II. CONCLUSIONS OF LAW

1. Under Codified Ordinance 1145.03, the following criteria shall be considered by the Commission in reaching its determination:

- (a) The proposed use is a conditional use of the zoning district and the applicable development standards of this Zoning Code are met.
- (b) The proposed use is compatible with adjacent land use, adjacent zoning, and to appropriate plans for the area.
- (c) The proposed use will not adversely impact access, traffic flow, and other public facilities and services.
- (d) The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature.
- (e) The proposed use will not adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare.

2. A claim of invalidity on the authorization or denial of a conditional use permit lies with the party contesting the determination. *Community Concerned Citizens, Inc. v. Union Twp.*

Bd. of Zoning Appeals (1995), 66 Ohio St.3d 452. In other words, the applicant bears the burden of proving that he or she meets the criteria for grant of a conditional use permit.

3. Based on the materials submitted to the Planning and Zoning Commission and the evidence produced at the May 8, 2017 hearing, there are clear and unmistakable facts that AutoZone wants to operate as an automobile parts and accessories store. As noted on AutoZone's website and referenced in Attorney Miller's correspondence with the City, AutoZone functions as a "leading retailer... of automotive replacement parts and accessories." AutoZone will also sell some amount of soft drinks, candy, and other items typically found in a convenience food market or supermarket incidental to its main business.

4. Based on the plain reading of the Zoning Code, the proposed use would be a conditional use, not a permitted use. Section 1167.02 of the Zoning Code sets forth the permitted uses. Given the facts presented, the proposed AutoZone would not qualify as a retail store engaged in selling merchandise for "personal or household consumption" (§1167.02(a)) or as a miscellaneous general merchandise store or a miscellaneous retail store not elsewhere classified. A lengthy list of illustrative uses that are "retail stores" engaged in selling merchandise for "personal or household consumption" are provided in subsections 1167.02(a)(1)-(11), and stores selling "automotive replacement parts and accessories" is nowhere listed. The drafters of the Zoning Code full well knew how to list specific uses if they intended such establishments to be considered "retail stores" for purposes of the Zoning Code, and this use was not included.

5. Code Section 1167.03 permits "automobile convenience markets, automobile repair and services, and automobile service stations" as conditional uses.

6. CASTO asserts that the proposed AutoZone “will be primarily engaged in the sale of automotive parts and accessories.” The proposed use as an automobile repair and services and automobile convenience market facility is explicitly identified as a conditional use in the General Commercial zoning district as noted in Section 1167.03 (c).

7. Code Section 1133.03(14) defines an “Automobile Convenience Market” as a place where gasoline, motor oil, lubricants, or other minor accessories are retailed directly to the public on the premises in combination with the retailing of items typically found in a convenience food market or supermarket.” AutoZone will retail motor oil, lubricants, and other accessories directly to the public. AutoZone will also sell items, such as beverages and candy, typically retailed in a food market, even if only ancillary to its primary automobile accessory retail business.

8. Code Section 1133.03(16) defines “Automobile Repair and Services” to mean establishments primarily engaged in the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, tire dealers, battery dealers and other accessory dealers.” AutoZone will also operate as a battery dealer and dealer of other accessories, in addition to providing basic repair services.

9. Based on the Zoning Code, CASTO’s proposed use of the land as an AutoZone is a conditional use in this district. Whether the proposed use meets the applicable development standards of the Zoning Code is the subject of pending variances and a pending site plan application that is tabled at Planning and Zoning Commission.

10. The proposed use is not fully compatible with the adjacent land use. The proposed site is located in the Waterloo Crossing which is zoned GC. Surrounding properties on the east side are zoned GC and the west side are zoned Planned Commercial District (PCD). Although

AutoZone will retail items like some of the surrounding uses, the limited repair and customer repairs that will occur in the proposed facility's parking lot are not compatible with adjacent land uses.

11. The Planning and Zoning Commission also found that the previous owner of the land, Discount Tire, was incompatible with the adjacent land use. Following the public hearing to consider Discount Tire's Use and Site Development Plan applications, the Planning and Zoning Commission denied the motion to approve the Conditional Use. Discount Tire appealed the decision to Council.

12. The proposed use will use existing access points and existing connections to utility services. It is not anticipated that the proposed AutoZone will have any adverse impact on access, traffic, or public services and facilities.

13. The proposed use will take place on a previously developed site. Therefore, there is not an impact on natural, scenic, or historic features.

14. The proposed use as an automobile repair and services facility may have adverse impacts on the safety, comfort, prosperity and general welfare of the community. Automobiles being tested, diagnosed, and repaired within an open parking lot, which is an uncontrolled area, have the potential to put people's safety at risk. Some customers may be uncomfortable with tools being offered for loan by this business and used in their close proximity while entering or exiting the store. Automobiles in disrepair or being diagnosed within the parking area also pose a detrimental impact to surrounding uses that may diminish property values within the area and effect the general welfare of the entire community.

15. Therefore, the Planning and Zoning Commission denies the conditional use permit to allow for the operation of an AutoZone to retail automobile accessories, convenience

market type food, and provide basic repair services in the General Commercial District located at Outlot 9 of Waterloo Crossing, located on Gender Road, parcel number 184002664.

DATE

BILL CHRISTENSEN

☐

Concur

☐

Dissent

☐

Abstain

JOE DONAHUE

☐

Concur

☐

Dissent

☐

Abstain

BRAD RICHEY

☐

Concur

☐

Dissent

☐

Abstain

JUNE KONOLD

☐

Concur

☐

Dissent

☐

Abstain

MICHAEL VASKO

☐

Concur

☐

Dissent

☐

Abstain

JOE WILDENTHALER

☐

Concur

☐

Dissent

☐

Abstain

DREW GATLIFF

☐

Concur

☐

Dissent

☐

Abstain

0128850.0615530 4834-7365-4601v3

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF CANAL WINCHESTER**

In re Application of CASTO Gender Road
LLC representing AutoZone Development
LLC for a Conditional Use Permit for Parcel
No. 184-002664, located at 6348 Gender
Road for a 6,707 sq. ft. AutoZone

This application is before the Commission on CASTO's conditional use application to allow an automobile repair and services store and an automobile convenience market use within the General Commercial District. The Commission makes the following findings of fact and conclusions of law.

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2. CASTO contends that the proposed development of the Property at issue is a permitted use within the GC zoning district under Section 1167.02. Specifically, it claims that the proposed AutoZone is a "retail store[] primarily engaged in selling merchandise for personal or household consumption", a "miscellaneous general merchandise store," and a "miscellaneous retail store not elsewhere classified." (§1167.02(a)(1) & (9).)

3. The City made a request to CASTO to submit a conditional use permit application. CASTO complied, under protest.

4. On May 8, 2017 the Planning and Zoning Commission held a public hearing on CASTO's application for a conditional use permit. The Planning and Zoning Commission reviewed the materials submitted with the application and heard testimony from representatives of CASTO. The Planning and Zoning Commission went into Executive Session to discuss this quasi-judicial matter. Upon reconvening the public hearing, the Planning and Zoning Commission voted to table the Conditional Use permit so that it would have additional time to consider the materials and public hearing testimony and to prepare written Findings of Fact and Conclusions of Law, pursuant to Section 1145.04 of the Codified Ordinances.

II. CONCLUSIONS OF LAW

1. Under Codified Ordinance 1145.03, the following criteria shall be considered by the Commission in reaching its determination:

- (a) The proposed use is a conditional use of the zoning district and the applicable development standards of this Zoning Code are met.
- (b) The proposed use is compatible with adjacent land use, adjacent zoning, and to appropriate plans for the area.
- (c) The proposed use will not adversely impact access, traffic flow, and other public facilities and services.
- (d) The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature.
- (e) The proposed use will not adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare.

2. A claim of invalidity on the authorization or denial of a conditional use permit lies with the party contesting the determination. *Community Concerned Citizens, Inc. v. Union Twp.*

Bd. of Zoning Appeals (1995), 66 Ohio St.3d 452. In other words, the applicant bears the burden of proving that he or she meets the criteria for grant of a conditional use permit.

3. Based on the materials submitted to the Planning and Zoning Commission and the evidence produced at the May 8, 2017 hearing, there are clear and unmistakable facts that AutoZone wants to operate as an automobile parts and accessories store. As noted on AutoZone's website and referenced in Attorney Miller's correspondence with the City, AutoZone functions as a "leading retailer... of automotive replacement parts and accessories." AutoZone will also sell some amount of soft drinks, candy, and other items typically found in a convenience food market or supermarket incidental to its main business.

4. Based on the plain reading of the Zoning Code, the proposed use would be a conditional use, not a permitted use. Section 1167.02 of the Zoning Code sets forth the permitted uses. Given the facts presented, the proposed AutoZone would not qualify as a retail store engaged in selling merchandise for "personal or household consumption" (§1167.02(a)) or as a miscellaneous general merchandise store or a miscellaneous retail store not elsewhere classified. A lengthy list of illustrative uses that are "retail stores" engaged in selling merchandise for "personal or household consumption" are provided in subsections 1167.02(a)(1)-(11), and stores selling "automotive replacement parts and accessories" is nowhere listed. The drafters of the Zoning Code full well knew how to list specific uses if they intended such establishments to be considered "retail stores" for purposes of the Zoning Code, and this use was not included.

5. Code Section 1167.03 permits "automobile convenience markets, automobile repair and services, and automobile service stations" as conditional uses.

6. CASTO asserts that the proposed AutoZone “will be primarily engaged in the sale of automotive parts and accessories.” The proposed use as an automobile repair and services and automobile convenience market facility is explicitly identified as a conditional use in the General Commercial zoning district as noted in Section 1167.03 (c).

7. Code Section 1133.03(14) defines an “Automobile Convenience Market” as a place where gasoline, motor oil, lubricants, or other minor accessories are retailed directly to the public on the premises in combination with the retailing of items typically found in a convenience food market or supermarket.” AutoZone will retail motor oil, lubricants, and other accessories directly to the public. AutoZone will also sell items, such as beverages and candy, typically retailed in a food market, even if only ancillary to its primary automobile accessory retail business.

8. Code Section 1133.03(16) defines “Automobile Repair and Services” to mean establishments primarily engaged in the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, tire dealers, battery dealers and other accessory dealers.” AutoZone will also operate as a battery dealer and dealer of other accessories, in addition to providing basic repair services.

9. Based on the Zoning Code, CASTO’s proposed use of the land as an AutoZone is a conditional use in this district. Whether the proposed use meets the applicable development standards of the Zoning Code is the subject of pending variances and a pending site plan application that is tabled at Planning and Zoning Commission.

10. The proposed use is not fully compatible with the adjacent land use. The proposed site is located in the Waterloo Crossing which is zoned GC. Surrounding properties on the east side are zoned GC and the west side are zoned Planned Commercial District (PCD). Although

AutoZone will retail items like some of the surrounding uses, the limited repair and customer repairs that will occur in the proposed facility's parking lot are not compatible with adjacent land uses.

11. The Planning and Zoning Commission also found that the previous owner of the land, Discount Tire, was incompatible with the adjacent land use. Following the public hearing to consider Discount Tire's Use and Site Development Plan applications, the Planning and Zoning Commission denied the motion to approve the Conditional Use. Discount Tire appealed the decision to Council.

12. The proposed use will use existing access points and existing connections to utility services. It is not anticipated that the proposed AutoZone will have any adverse impact on access, traffic, or public services and facilities.

13. The proposed use will take place on a previously developed site. Therefore, there is not an impact on natural, scenic, or historic features.

14. The proposed use as an automobile repair and services facility may have adverse impacts on the safety, comfort, prosperity and general welfare of the community. Automobiles being tested, diagnosed, and repaired within an open parking lot, which is an uncontrolled area, have the potential to put people's safety at risk. Some customers may be uncomfortable with tools being offered for loan by this business and used in their close proximity while entering or exiting the store. Automobiles in disrepair or being diagnosed within the parking area also pose a detrimental impact to surrounding uses that may diminish property values within the area and effect the general welfare of the entire community.

15. Therefore, the Planning and Zoning Commission denies the conditional use permit to allow for the operation of an AutoZone to retail automobile accessories, convenience

market type food, and provide basic repair services in the General Commercial District located at Outlot 9 of Waterloo Crossing, located on Gender Road, parcel number 184002664.

6/12/17

DATE


BILL CHRISTENSEN



Concur



Dissent



Abstain


JOE DONAHUE



Concur



Dissent



Abstain


BRAD RICHEY



Concur



Dissent



Abstain

JUNE KONOLD



Concur



Dissent



Abstain


MICHAEL VASKO



Concur



Dissent



Abstain


JOE WILDENTHALER



Concur



Dissent



Abstain


DREW GATLIFF



Concur



Dissent



Abstain

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Conditional Use #CU-17-003
Autozone

Owner: Casto Gender Road, LLC

Applicant: Steven Waldo of Autozone Development, LLC

Location: 6348 Gender Road

Existing Zoning: GC (General Commercial)

Request: Conditional Use to allow for an automobile repair and services and an automobile convenience market use within the General Commercial District.

Location and Surrounding Land Uses

The subject property consists of 1.38 acres located on the east side of Gender Road between Burger King and Chase Bank. The property is zoned General Commercial (GC). Properties to the north, east and south are developed properties in the GC zoning district. Properties to the west, across Gender Road, are developed properties zoned Planned Commercial District (PCD).

Code Section

Section 1167.03(c) allows for the following as a Conditional Use in the General Commercial zoning district: Automotive Service Stations, Automobile Convenience Markets, Repair, Services and Garages.

Automobile Convenience Market is defined as: A place where gasoline, motor oil, lubricants, or other minor accessories are retailed directly to the public on the premises in combination with the retailing of items typically found in a convenience food market or supermarket.

Automobile repair and services is defined as: establishments primarily engaged in the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, tire dealers, battery dealers and other accessory dealers.

Analysis

The applicant is requesting the property be used as an Autozone, which the applicant has noted will be engaged in the sale of automotive parts and accessories. As an accessory dealer, this use would clearly meet the definition of automobile repair and services as defined in Section 1133.03 (16) of the Canal Winchester Zoning Code. The Autozone website notes that, "Today, AutoZone is the leading retailer and a leading distributor of automotive replacement parts and accessories in the U.S.". Autozone also advertises limited repair services, including testing your automotive parts while they are still on the car. This includes servicing batteries, including charging batteries while they are still on your vehicle. As noted in the definition of automobile repair and services, battery dealers are included. Since the service bays from the previous use are proposed to be removed with this proposal, it is assumed that this limited repair service will take place within the parking lot of the proposed Autozone.

Autozone also engages in the sale of convenience foods and drinks. They have a small area within their stores dedicated to a cooler space for cold drinks and under counter display areas for candy, potato chips, beef jerky, and like items. They have indicated in their application that they offer a de minimis

amount of these items for sale. The Canal Winchester Zoning Code Section 1133.03 (14) does not quantify the amount of convenience foods that need to be offered for sale in combination with motor oil and lubricants to be defined as an automobile convenience market. Due to the nature of selling both of these items in combination the proposed use shall also be classified as an automobile convenience market.

1145.03 Criteria for Approval of Conditional Uses

- a. The proposed use is a conditional use of the zoning district and the applicable development standards of this Zoning Code are met.
 - The proposed use as an automobile repair and services and automobile convenience market facility is identified as a conditional use in the General Commercial zoning district as noted in Section 1167.03 (c). The development standards that this property are subject to are specified in various areas of the Canal Winchester Zoning Code. The Planning and Zoning Administrator has reviewed the application and found that the proposed development does not meet two specific development standards, which the applicant has now applied to vary from. These specific standards are identified in Section 1199.03 (d) and Section 1199.03 (e) in regards to the use of prohibited spandrel glass on the Autozone building and removal of the required entry on the front of the building.
- b. The proposed use is compatible with adjacent land use, adjacent zoning, and to appropriate plans for the area.
 - The proposed is compatible in some aspects with the adjacent land uses. They do retail items like many of the surrounding uses, however the limited repair and customer repairs that take place in the proposed facility's parking lot are not compatible with adjacent land uses.
- c. The proposed use will not adversely impact access, traffic flow, and other public facilities and services.
 - The proposed use will use existing access points and existing connections to utility services. It is not anticipated that there will be any adverse impacts on traffic, or public services and facilities from the proposed use.
- d. The proposed use will not result in the destruction, loss or damage of a natural, scenic, or historic feature.
 - The proposed use will take place on a previously developed site. Therefore, there is not an impact on natural, scenic, or historic features.
- e. The proposed use will not adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare.
 - The proposed use as an automobile repair and services facility potentially would have adverse impacts on the safety, comfort, prosperity and general welfare of the community. Automobiles being tested, diagnosed, and repaired within an open parking lot, which is an uncontrolled area, has the potential to put people's safety at risk. Some customers may be uncomfortable with tools being offered for loan by this business and used in their close proximity while entering or exiting the store. Automobiles in disrepair or being diagnosed within the parking area poses a detrimental impact to surrounding

uses that may diminish property values within the area and effect the general welfare of the entire community.

Staff Recommendations

The site development plans and variance requests presented show that the applicant's proposed use of the building cannot comply with applicable development standards. These commercial development standards were put in place to promote desirable commercial development that enhances the character and livability of the community. These requests evidence that the building proposed for this use is not an appropriate location that would be compatible for the type of use that the applicant is proposing, and the proposed variances necessary for this use detract from the character of the area and impact the prosperity and general welfare of the community.

Furthermore, diagnosing automotive maladies and testing vehicle parts while they are on the car within and uncontrolled parking lot environment poses safety and comfort risks to the customers of this and surrounding businesses. Therefore, staff recommends that conditional use 17-003 be denied as presented.



City of Canal Winchester

36 South High Street
Canal Winchester, Ohio 43110
Development Department
Phone (614) 837-7501 Fax (614) 837-0145

CONDITIONAL USE APPLICATION

Submitted Under Protest

rev. 09/24/2013

PROPERTY OWNER

Name Casto Gender Road, LLC
Address 250 Civic Center Drive, Suite 500, Columbus, OH 43215
Daytime Phone 614-744-2012 Email Lvisco@castoinfo.com

APPLICANT

Name Autozone Development, LLC c/o Steven Waldo
Address 123 South Front Street, 3rd Floor, Memphis, TN 38103
Daytime Phone 901-495-6012 Email Steven.Waldo@autozone.com
Address of Subject Property 6348 Gender Rd., Canal Winchester, OH 43110
Current Zoning GC Description of Proposed Use Retail Store - Auto Parts

Attach legal description and current survey (within 2 years) of the subject property and all supporting materials as required by Section 1145.02 (c) (see attachment). Additional information may be required by the Planning and Zoning Administrator or the Planning and Zoning Commission

I certify that the information provided with this application is correct and accurate to the best of my ability.

[Signature]
Property Owner's or Authorize Agent's Signature

4/27/17
Date

DO NOT WRITE BELOW THIS LINE

Date Received: 4/17/17

Fee: \$ 150.00
Paid ☒

Historic District: ☐ Yes ☒ No
Preservation District: ☐ Yes ☒ No

Date of Action: 6/12/17

Application ☒ No

Expiration Date: / /

Approved: ☐ Yes

Tracking Number: CU - 17-003

☐ Yes, with conditions

Conditional Use Application Statement (Submitted Under Protest):

A 6,707 square foot AutoZone store is proposed to be operated at 6348 Gender Road in Canal Winchester, Ohio. The proposed retail store will be situated on a outlot parcel comprised of 1.38 acres of total land area within Waterloo Crossing shopping center. The site is currently improved for operation of a Discount Tire store, which is vacant, and zoned General Commercial.

AutoZone will be primarily engaged in the sale of automotive parts and accessories. The applicant has informed Canal Winchester staff and maintains that the proposed development of this site into an AutoZone is a permitted use under Chapter 1167.02. Specifically, it is a "retail store [] primarily engaged in selling merchandise for personal or household consumption..." (at Chapter 1167.02(a).) Further, it is a "miscellaneous general merchandise store" and a "miscellaneous retail store not elsewhere classified." (at Chapter 1167.02(a)(1) & (9).)

Notwithstanding the General Commercial code provisions above, the City of Canal Winchester Planning Staff has told the applicant that a Conditional Use application is required. On separate occasions, staff has suggested that the use is either Automobile Convenience Market or Automobile Repair and Services. A summary of previous written correspondence provided to the City of Canal Winchester demonstrating that AutoZone is neither of these uses is as follows:

- 1) Pursuant to § 1133.03(16), "'Automobile Repair and Services' means 'establishments primarily engaged in the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, tire dealers, battery dealers and other accessory dealers.'" AutoZone is absolutely not an establishment "primarily engaged in the repair, rebuilding or reconditioning of motor vehicles or parts thereof,"
- 2) Pursuant to § 1133.03(14), "Automobile Convenience Market" means a place where gasoline, motor oil, lubricants, or other minor accessories are retailed directly to the public on the premises in combination with the retailing of items typically found in a convenience food market or supermarket. Autozone will not retail its automotive parts and accessories "in combination with items typically found in a convenience food market or supermarket." While AutoZone may sell a de minimis amount of soft drinks or candy incidental to its actual business, it in no way functions like, for example, a "Get Go" or "Turkey Hill Minit Market."

The applicant now submits this application for conditional use in connection AutoZone's Site Development Plan submission (#SDP-17-002) under protest and makes claim that, even if AutoZone is somehow deemed to be an Automobile Convenience Market or a business engaged in Automobile Repair and Services, both of which are allowable conditional uses under Chapter 1167.03(c) of the City of Canal Winchester's Zoning Code, AutoZone's operation and use is appropriate for its site and satisfies the requirements for issuance of a Conditional Use Permit.

As noted above, Automobile Convenience Market and businesses engaged in Automobile Repair and Services by the City's Code are acceptable conditional uses in its zoning district. Further, AutoZone's proposed store in this General Commercial District will not adversely affect natural or historical features or the public welfare.

The development plans for the proposed AutoZone store are compatible with the overall character of the Waterloo Crossing shopping center and the adjacent commercial corridor. Further, the proposed conditional use of Automobile Convenience Markets and Automobile Repair and Services will not pose a risk to the general welfare of the community. The approx. 100 acre parcel comprising Waterloo Crossing shopping center, of which the AutoZone site is a part, and that acreage on the west side of Gender Road directly opposite from the AutoZone site, are zoned General Commercial. This area has been improved as a community shopping center, incorporating commercial retail and service outlots on its frontage to public right-of-ways. Further, there are numerous automobile gas stations, repair shops and gas stations in proximate area surrounding the proposed AutoZone site, with Conditional Use permits granted for automotive uses therein to Firestone, Tire Kingdom/NTB, Wal-Mart and Mr. Tire. In fact, the proposed AutoZone site was most recently permitted to operate as a Discount Tire, wherein the operator sold tires and accessories and provided installations services.

The development standards of the Zoning Code are met with the exception of 2 building variances, simultaneously submitted to the City of Canal Winchester with this application.

Lastly, AutoZone's proposed store will not adversely affect traffic flow or access to or from the Waterloo Crossing shopping center. The frontage road and adjacent parking fields servicing the AutoZone outlot have been designed and constructed to accommodate the traffic generated by the AutoZone operation. In fact, the traffic generated by a specialty retailer, such as AutoZone, can be expected to generate lower traffic counts than other permitted general commercial uses, such as restaurants or drug stores.

Canal Winchester - Discount Tire (Parcel # 184-002664-00)

Contiguous and Adjacent Landowners

<u>Landowner</u>	<u>Address</u>	<u>Parcel #</u>	<u>Zoning</u>	<u>Use</u>
1 Emerald Light Investments	6310 Prentiss School Drive	184-002077-00	C - Commercial	436-Family restaurant/dining room
2 CCSJPS LLC	6290 Prentiss School Drive	184-002284-00	C - Commercial	435-Fast food/drive-in restaurant
3 First Bremen Bank	6380 Prentiss School Drive	184-002471-00	C - Commercial	444-Full service banks
4 6340 Prentiss School Drive LLC	6340 Prentiss School Dr	184-002627-00	C - Commercial	436-Family restaurant/dining room
5 6400 Gender Road LLC	6400 Gender Road	184-002781-00	C - Commercial	444-Full service banks
6 CRI Outparcels LLC	6314 Gender Road	184-003046-00	C - Commercial	444-Full service banks
7 Waterloo Crossing LTD	6270-6392 Gender Road	184-002987-00	C - Commercial	425-Neighborhood shopping center
8 CRI Outparcels LLC	6374 Gender Road	184-003209-00	C - Commercial	435-Fast food/drive-in restaurant

STATE OF OHIO, COUNTY OF FRANKLIN, VILLAGE OF CANAL WINCHESTER,
SECTION 25, TOWNSHIP 11, RANGE 21
CONGRESS LANDS

RESIDENT IN THE VILLAGE OF CHAL, WHICHESTER, COUNTY OF FRANKLIN, STATE OF OHIO, DESCRIBED AS FOLLOWS:

SITUATED IN THE TOWNSHIP OF CAVAL, DISTRICT OF FRANKLIN, STATE OF ALABAMA, ALSO BEING LOCATED WITHIN SECTION 22, TOWNSHIP 11, RANGE 21, CONGRESS LANDS, ALSO BEING A 1.641 ACRE TRACT, THE REMAINING LANDS OF A 3.003 ACRES TRACT AS CONVEYED TO WATERLOO CROSSING LIMITED AS DESCRIBED IN INSTRUMENT NO. 20030710240481 PARCEL 1, AND A 0.236 ACRE TRACT, THE REMAINING LANDS OF A 1.641 ACRE TRACT AS CONVEYED TO WATERLOO CROSSING LIMITED AS DESCRIBED IN INSTRUMENT NO. 20030710240481 PARCEL 2, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTRAL OF GEORGIA ROAD AND THE CENTRAL OF
WINCHESTER BOULEVARD AS RECORDED IN PLAT BOOK 102 PAGE 38, SAID POINT BEARING SOUTH 04° 44' 31"
WEST FOR A DISTANCE OF 70.72' FROM MONUMENT 1025 2270 (PRESENT); THENCE,

ALONG THE CENTURINE OF GENDER ROAD, SOUTH OF 44° 31' WEST, FOR A DISTANCE OF THE HUNDRED THIRTY-NINE AND FIFTY-ONE HUNDREDS FEET (539.15') TO A POINT; THENCE,

ALONG A SOUTH BY 15.22' EAST, FOR A DISTANCE OF SIXTY AND ZERO OR -HUNDREDS FEET (SIXTY) TO AND FROM PLOT 540, SAID PLOT BEING ALONG THE DISTRICT RIGHT-OF-WAY LINE OF GENDER ROAD, SAID PLOT ALSO BEING THE SOUTHWESTERLY CORNER OF A 1.168 ACRE TRACT AS CONNECTED TO WATERLOO CROSSING LIMITED AS DESCRIBED IN INSTRUMENT NO.02002901016484, SAID PLOT ALSO BEING THE TRUE POINT OF BEGINNING, AND ROAD SAID BEGINNING POINT NUMBER TWENTY.

307073860309524; THECEL
ALONG THE SOUTHERN, END OF S/D 1,188 ACRES TRACT, SOUTH 65° 30' 58" EAST, FOR A DISTANCE OF TWO
HUNDRED EIGHTY-SIX AND NINE-TENTH DEED-AND-UNDERTAKING TRACT (284.34) TO A WAL SET, SAND POINT BEING
THE SOUTHEASTERN CORNER OF S/D 1,188 ACRES TRACT, SAND POINT ALSO BEING ALONG THE WESTSIDE BEING
OF A 6.73 ACRES TRACT AS CONVEYED TO WATERLOO CROSSING LIMITED AS DESCRIBED IN INSTRUMENT NO.

ALONG A PORTION OF THE WESTERLY LINE OF SAO 6.733 ACRES TRACT, SOUTH OF 2ND ST. WEST, FOR A DISTANCE OF TWO HUNDRED TEN AND NINETY-FOUR ONE-HUNDREDTHS FEET (210.94') TO AN IRON PIN SET, SAID POINT BEING ALONG THE WESTERLY LINE OF SAO 6.733 ACRES TRACT, SAID POINT ALSO BEING THE NORTHEASTERNLY CORNER OF A 0.027 ACRES TRACT AS COMPLETED TO MINIDOC CROSSING LIMITED AS DESCRIBED IN INSTRUMENT NO. 200701100649077. DEPOSIT

ALONG THE NORTHERLY LINE OF SAID 0.827 ACRE TRACT, NORTH 85° 15' 25" WEST, FOR A DISTANCE OF TWO HUNDRED EIGHTY-SEVEN AND EIGHTY-FOUR ONE-HUNDREDTHS FEET (287.84') TO A 1" IRON PIPE FOUND, SAID POINT BEING THE NORTH-EASTLY CORNER OF SAID 0.827 ACRE TRACT, SAID POINT ALSO BEING ALONG THE EASTERN RIGHT-OF-WAY LINE OF COOPER ROAD;

THE EASTERN, NORTH-OF-WAY LINE, OF EDWARDS ROAD, NORTH OF 44° 31' EAST, FOR A DISTANCE OF TWO HUNDRED EIGHT AND SEVENTY-FOUR ONE-HUNDREDTHS FEET (204.74') TO THE POINT OF BEGINNING, CONTAINING 1.243 ACRES OF LAND, MORE OR LESS, AS DETERMINED BY MICHAEL L. KELLER, PROFESSIONAL SURVEYOR, Ohio LICENSE NO. 7878, BASED ON A SURVEY PERFORMED BY KEDWIGGS & ASSOCIATES IN APRIL, 2012.

CHAND SOUTH ZONE (MAJOR CORRS), WITH A POSITION OF THE CENTRAL OF BORDER ROAD BEND SOUTH OF 44° 31' WEST, AS DETERMINED BY A WGS-85 SURVEY UTILIZING CORS STATION "COURT" AS MAINTAINED BY THE OHIO DEPARTMENT OF TRANSPORTATION AND STATION "TOSR 8036".

ALL INFORMATION WITH THE NON-EXCLUSIVE ACCESS CASADANT CONTAINED WITHIN THE ACCESS CASADANT AGREEMENT RECORDED NOVEMBER 8, 2010 AS DOCUMENT NO. 2010110801495452 OF FRANKLIN COUNTY RECORDS.

1) FIELD WORK PERFORMED ON SEPTEMBER 15, 2016.

- 3) THERE WAS NO OBSERVED EVIDENCE OF DIRT MOVING ACTIVITIES ON THE SUBJECT PARCEL.
- 4) THERE IS NO EVIDENCE OF PROPOSED CHANGES IN THE RIGHT-OF-WAY LINES.
- 5) THE SURVEY PRESENTS THE SAME PARCEL AS DESCRIBED IN TITLE COALMINTMENT NO. 80803-PR-1 SHOWN ON THE MAP.

THE UNITS SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNITS LOCATED WERE OR COMPREHEND ALL SUCH UNITS IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNITS LOCATED ARE IN THEIR EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

ZONING DISTRICT CC, GENERAL COMMERCIAL

THE BEARINGS SHOWN ON THIS SURVEY ARE BASED ON OHIO STATE PLANE COORDINATE SYSTEM, OHIO SOUTH ZONE (NAD83-CORS), WITH A PORTION OF THE CONTIGUOUS OF CORDER ROAD BEING SOUTH OF 44°31' WEST, AS DETERMINED BY NAD83-CORS SURVEY UTILIZING CORS STATION "06L" AS MAINTAINED BY THE OHIO DEPARTMENT OF TRANSPORTATION AND STATION TIES 0636."

AT 2004-02-10, THE PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 3904000452K, WHICH BEARS AN EFFECTIVE DATE OF JUNE 17, 2000.

IRON PINS
WHERE INDICATED HEREON, UNLESS OTHERWISE NOTED, ARE TO BE SET AND ARE 3/8" SOLID ROUND, THIRTY INCHES LONG WITH YELLOW PLASTIC CAP BEARING THE INITIALS "C.C."

<u>PARKING COUNT</u>	
REGULAR PARKING SPACES	38
DEDICATED PARKING SPACES	2
TOTAL PARKING SPACES	41

STATE OF OHIO, COUNTY OF FRANKLIN, VILLAGE OF CANAL WINCHESTER,
SECTION 25, TOWNSHIP 11, RANGE 21
CONGRESS LANDS

BASED UPON THE COMMITMENT FILE NO: NC-808034-PHX1, FIRST AMERICAN TITLE INSURANCE COMPANY, EFFECTIVE DATE: AUGUST 22, 2016 AT 7:30AM

10. MATTERS SHOWN ON THE PLAN OF WINCHESTER BOULEVARD, WATERLOO STREET AND CAVAL STREET DEDICATION AND EASEMENTS RECORDED IN PLAT BOOK 102, PAGE 38 OF FRANKLIN COUNTY RECORDS, LOCATED ON SUBJECT PARCEL, AS SHOWN HEREON.

11. RESIDENT FROM SHELLEY H. TALLMAN TO THE CHRY FUEL GAS COMPANY RECORDED AUGUST 28, 1948 B/W/S SEE 14003, PAGE 348 OF PUNAMUN COUNTY RECORDS. SUBJECT PARCEL LOCATED WITHIN AREA DESCRIBED, PLANNED IN NATURE.
12. INTENTIONALLY DELETED.
13. INTENTIONALLY DELETED.
14. INTENTIONALLY DELETED.
15. LANDOWN WATERLINE FROM THREE STREET INFESTORS, LTD. TO THE VILLAGE OF CAVAL WINGCASTER RECORDED JULY 11, 2003 B/W/S DOCUMENT NO. 200307110212141 OF PUNAMUN COUNTY RECORDS. LOCATED ON SUBJECT PARCEL, AS SHOWN HEREON.
16. INTENTIONALLY DELETED.

COURTNEY, COLUMBIA, RESTRICTED, ASSESSMENTS, LOTS, CHARGES, EASEMENTS, STAKE LINES, TERMS AND/OR PROVISIONS AS DESCRIBED BY THE EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND RECORDED JULY 11, 2003 W/S DOCUMENT NO. 200307110212163 OF FRANKLIN COUNTY RECORDS. SUBJEC PANCEL LOCATED WITHIN AREA DESCRIBED.

7/25/2004 PARCELS MEASURED BLOCK 11, 2004 AS DOCUMENT NO. 2004-03110253-40 OF FRANKLIN COUNTY RECORDS.
SUBJECT PARCEL LOCATED WITHIN AREA DESCRIBED.

SECOND ADDENDUM RECORDED DECEMBER 20, 2004 AS DOCUMENT NO. 200412200287033 OF FRANKLIN COUNTY RECORDS. EASEMENT NOT LOCATED WITHIN SUBJECT PARCEL.

NOTICE: STATEMENT RECEIVED OCTOBER 28, 2016 AS DOCUMENT NO. 20101028014441 OF TARRANT COUNTY RECORDS. SUBJECT PARCEL LOCATED WITHIN AREA DESCRIBED.

8. ACCESS EASEMENT AGREEMENT BY AND BETWEEN WATKINS CROSSING LIMITED AND HALL'S PROPERTIES, L.L.C. AS GRANTOR AND GRANTOR, LOCATED ON SUBJECT PARCEL, AS SHOWN HEREON (ATTILITY EASEMENT).
9. STATE EASEMENTS GRANTED PURSUANT TO THAT CERTAIN AGREEMENT TO BUILD AND LEASE BY AND BETWEEN THE GRANTOR, LESSOR, AND RENTER, HAS CONVEYANCE, DATED JANUARY 17, 2007, AS SHOWN HEREON, AS DEDICATED TO GRANTOR, LOCATED ON SUBJECT PARCEL, AS SHOWN HEREON.
10. RIGHT OF WAY IN FAVOR OF SOUTH CENTRAL POWER COMPANY RECORDED MAY 11, 2012, W/AS GRANTOR AND GRANTOR, LOCATED ON SUBJECT PARCEL, AS SHOWN HEREON.
11. RIGHT OF WAY IN FAVOR OF FARMHILL COUNTY RECORDS, LOCATED ON SUBJECT PARCEL, AS SHOWN HEREON.

[illegible]

**CASTO DEVELOPMENT
TIRE DISCOUNTER
VILLAGE OF CANAL WINCHESTER
FRANKLIN COUNTY, OHIO**

[illegible]

DATE:	OCTOBER 2018	DRAWN BY:	JEC
DWG SCALE:	N/A	CHECKED BY:	MJA
PROJECT NO:	163-807		
APPROVED BY:	MAS		

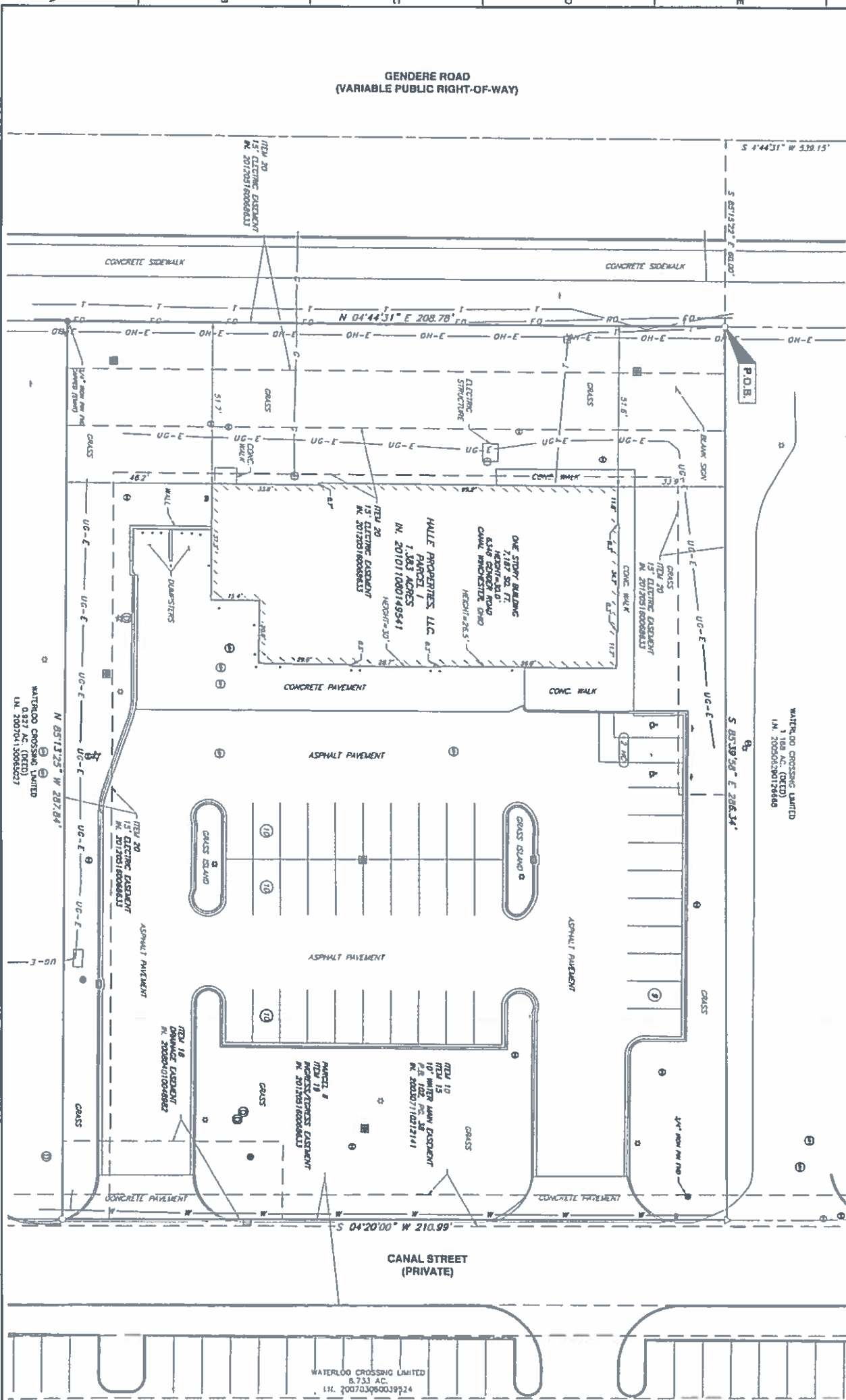
DATE:	OCTOBER 2018	DRAWN BY:	JEC
DWG SCALE:	N/A	CHECKED BY:	MJA
PROJECT NO:	163-807		
APPROVED BY:	MAS		

10/25/2011

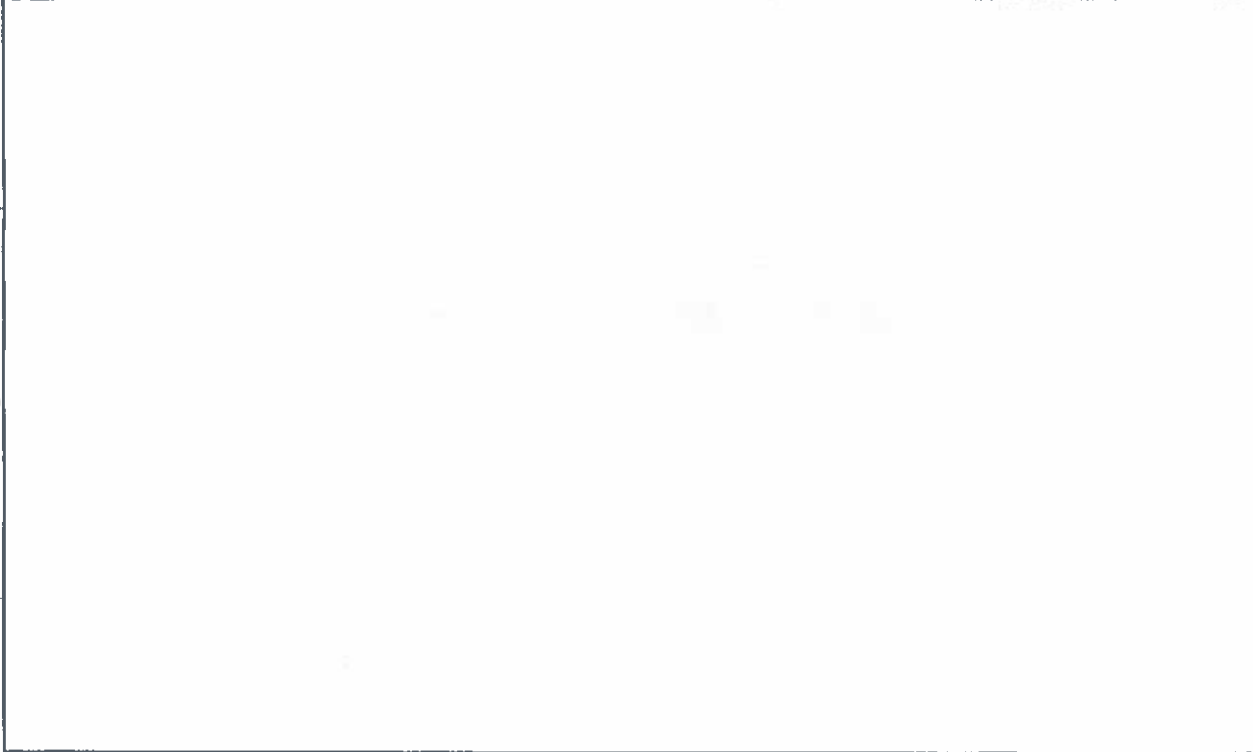
STATE OF OHIO
MARK ALAN SMITH
S-8322
REGISTERED PROFESSIONAL SURVEYOR

MADE BY: ALAN SMITH
CNO: RECREATION/LICENSE NO. 5-8232

ALTA

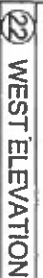


- EXISTING LEGEND:**
- EXISTING PROPERTY LINE
 - EXISTING ADJACENT PROPERTY LINE
 - EXISTING RIGHT-OF-WAY
 - EXISTING EASEMENT
 - EXISTING FENCE
 - EXISTING WATER LINE
 - EXISTING GAS LINE
 - EXISTING FIBER OPTIC LINE
 - EXISTING TELEPHONE LINE
 - EXISTING UNDERGROUND ELEC. LINE
 - EXISTING OVERHEAD ELEC. LINE
- FROM PW RECORD**
- WATER MAIN SET
 - SEWER FROM PW SET & CAP
 - LANDSCAPE
 - SCAFFOLD
 - LIGHT STAND
 - BELLARD
 - WATER MAIN RECORD
 - CABLE RECORD
- TO PW RECORD**
- WATER MAIN SET
 - SEWER FROM PW SET & CAP
 - LANDSCAPE
 - SCAFFOLD
 - LIGHT STAND
 - BELLARD
 - WATER MAIN RECORD
 - CABLE RECORD



ALTA/NSPS LAND TITLE SURVEY		CASTO DEVELOPMENT TIRE DISCOUNTER VILLAGE OF CANAL WINCHESTER FRANKLIN COUNTY, OHIO		Civil & Environmental Consultants, Inc. 250 Old Wilson Bridge Road • Suite 250 • Worthington, OH 43085 614-540-6633 • 888-598-6808 www.cedinc.com		REVISION RECORD	
DATE: OCTOBER 2016	DRAWN BY: JEC	DATE: OCTOBER 2016	DRAWN BY: JEC	DATE: OCTOBER 2016	DRAWN BY: JEC	DATE: OCTOBER 2016	DRAWN BY: JEC
DWG SCALE: 1"=20'	CHECKED BY: MJA	DWG SCALE: 1"=20'	CHECKED BY: MJA	DWG SCALE: 1"=20'	CHECKED BY: MJA	DWG SCALE: 1"=20'	CHECKED BY: MJA
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(page 4 of 4)



- #### 4 GENERAL FINISH NOTES

- ### ③ MATERIAL KEY NOTES

THE OFFICE OF
WILLIAM A. AMOR,
ARCHITECT
2111 SOUTH HAVEN AVENUE
SUITE 300 ANNAPOLIS, MD 21403

DISCLAIMER

THIS DRAWING IS AN INSTRUMENT OF SERVICE A PART OF THE PROPERTY OF DISCOU, INC. COMPANY AND SHALL REMAIN THEIR PROPERTY. THE USE OF THIS DRAWING SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH IT WAS PREPARED, AND NO REPRODUCTION, PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH

DATE: 12/10/2010

SHEET NUMBER:
A4.1

Site Plans Prepared by:
Applicant / Developer / Lessee:

AutoZone Development, LLC

c/o: Jeff Kauertz

123 S. Front Street, 3rd Floor
Memphis, Tennessee 38103

(901) 495-8771

Architect:

Lew Ellis

123 S. Front Street, 3rd Floor
Memphis, Tennessee 38103

(901) 495-8707

Owner:

Casto Gender Road, LLC

c/o: Jason Freeman

250 Civic Center Drive, Suite 500
Columbus, Ohio 43215

(614) 744-2024



Adjacent Tenant
Waterloo Crossing Limited
0.927 ac. (less)
Instrument Number = 20070413006027



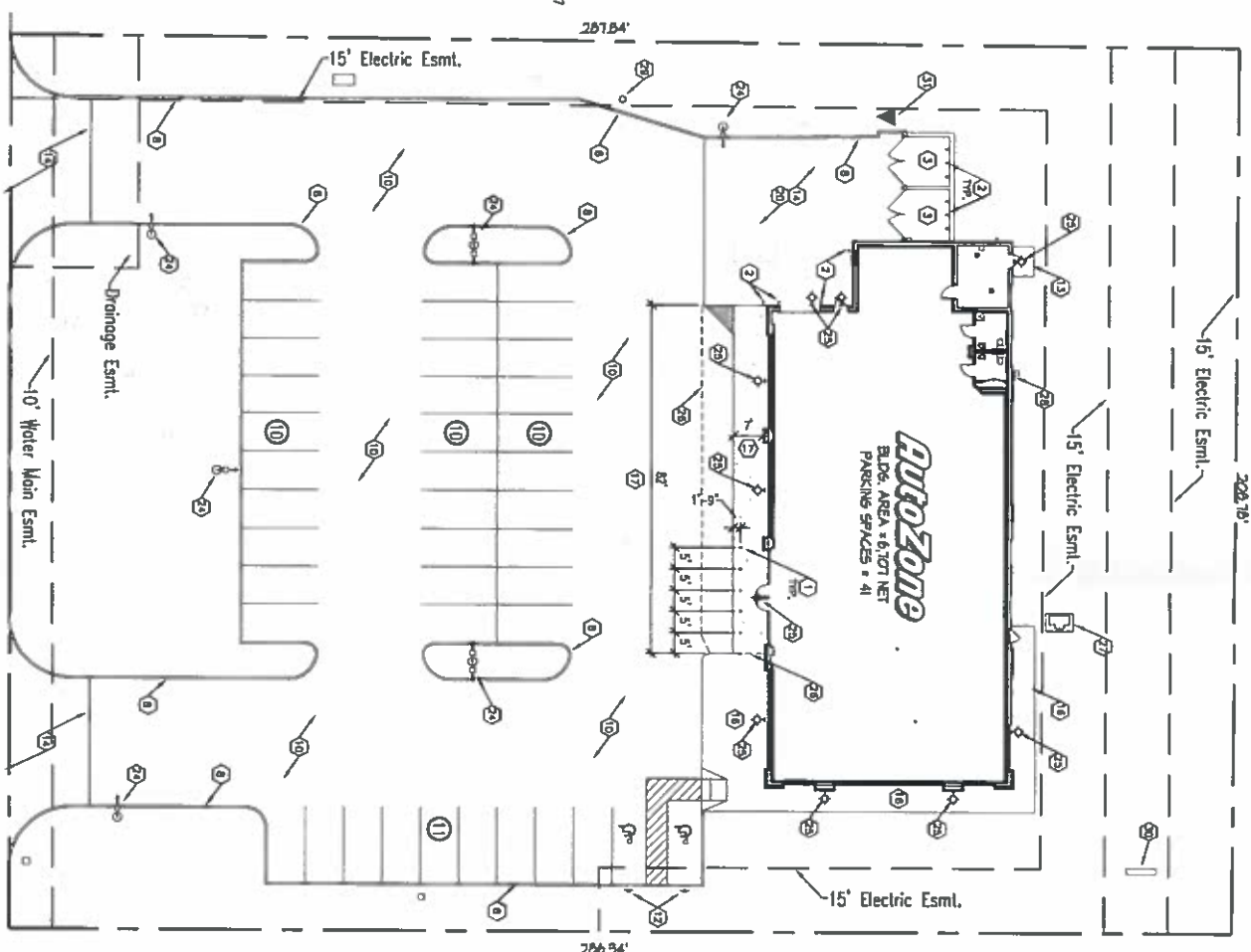
VICINITY MAP
N.T.S.



across Gender Road

DONATOS

across Gender Road



AutoZone
1-Story building
30'-0" height
Retail auto parts store
Building SF = 7,187
Property SF = 60,254
Acres = 1.833

GENERAL NOTES

- ALL NOTES MAY NOT APPLY
1. Prior rail building and all parking areas. Notify the Architect of any unresolvable areas.
 2. Edge of new pavement to be flush with existing pavement.
 3. All sidewalk curb and gutter street parking, curb cuts, driveway aprons, landscape, ramp, etc. constructed to match existing conditions. All new sidewalk and curb to be constructed and/or shall specifications and requirements.
 4. For areas outside the property lines, repair and/or replace all damage done to existing elements (sidewalks, paving, landscaping, etc.) as required by other and/or governing authority.
 5. For proposed utility locations, see the utility plan.



Adjacent Tenant
Waterloo Crossing Limited
1.186 ac. (less)
Instrument Number = 200506290126666

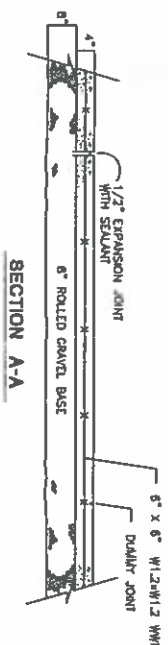
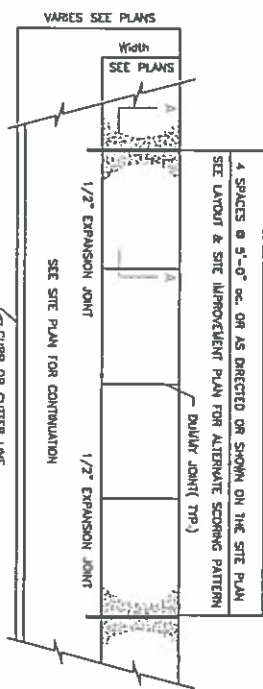
across Canal Street
Waterloo Crossing Limited
6.733 ac. (less)
Instrument Number = 200703060039324

SITE PLAN

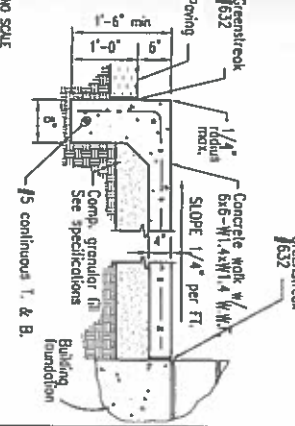
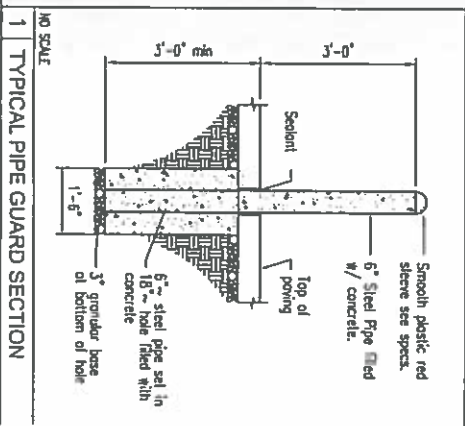


1" = 20'-0"

NOTE:
LANDSCAPING TO BE RESPONSIBLE FOR RESURFACING
PARKING LOT IF REQUIRED.



SECTION A-A



REMARKS

- ALL NOTES MAY NOT APPLY
1. INSTALL NEW PRE-CAST, SEE DETAIL 1 FOR DETAILS AND SET PLANT FOR SPACING, SMOOTH PLASTER, RED SILEX.
 2. EXISTING DRAINAGE LOCATION.
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REVISIONS

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2		5
3		6

AutoZone Store No. 5040
6348 GENDER ROAD

CANAL WINCHESTER OH 43110
SITE PLAN / NOTES / DETAILS

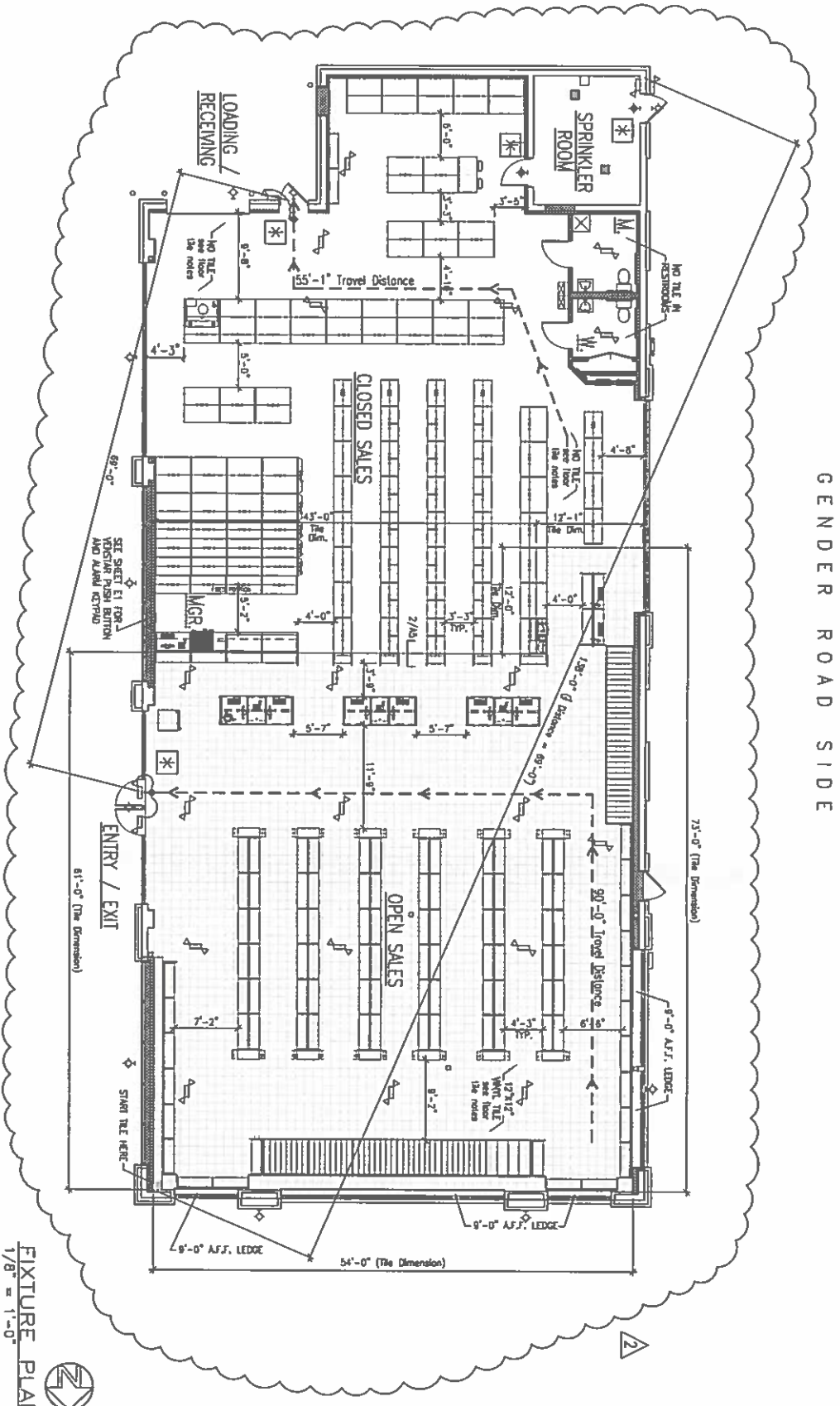
Architect: LEW ELLIS
123 South Front Street
Memphis, Tennessee 38103
TEL: 901-495-8707 FAX: (901) 495-8969

For Bidding & Contractor Information Contact:
McGraw - Hill Construction Tel. 615-884-1017
www.construction.com

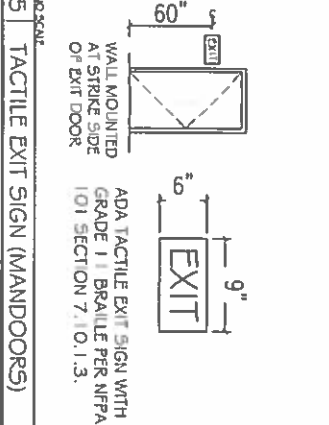
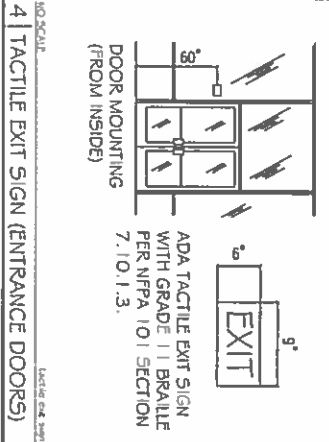
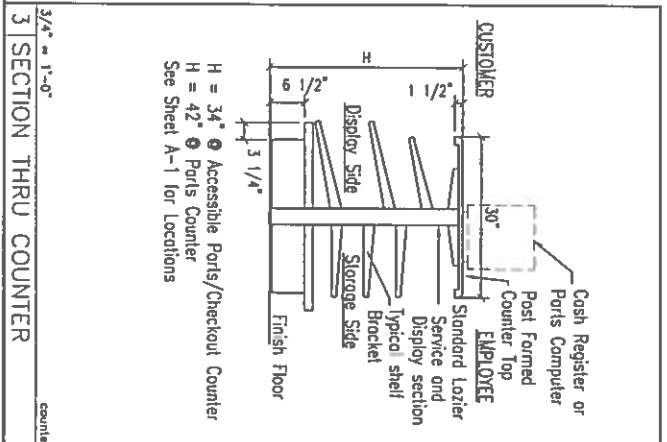
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6W2-REMODEL

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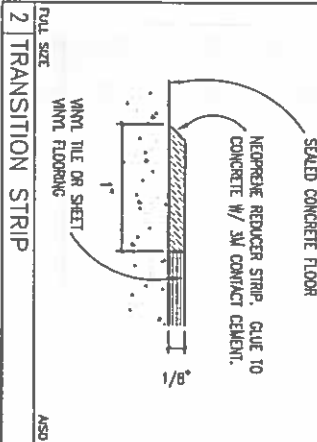


FIXTURE PLAN
1/8" = 1'-0"

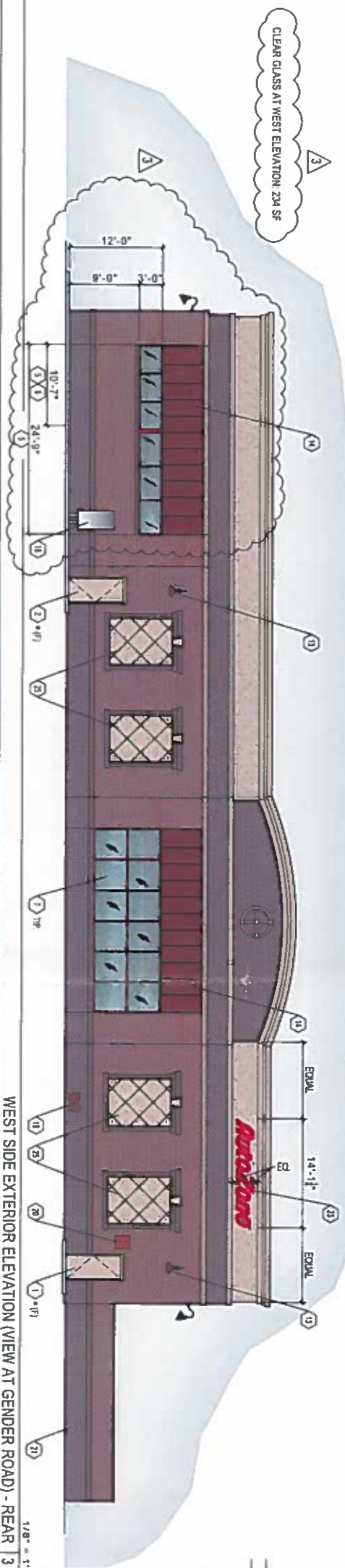


OPEN SALES (M) = 3,448	
CLOSED SALES (S1) = 3,259	
TOTAL SQ.FT. = 6,707	
TOTAL SQ.FT. = 6,707	
LEGEND / NOTES	
EXIT SIGN WITH BATTERY BACKUP.	EXIT SIGNS TO BE INSTALLED AT THE REQUIRED EXITS FROM THE ROOM OR AREA AND WHEN OTHERWISE NECESSARY TO CLEARLY INDICATE THE DIRECTION OF EGRESS. GRAPHICS, ILLUMINATION AND POWER SUPPLY SHALL COMPLY WITH CHAPTER 10 OF THE IBC.
RELOCATE HEAD WHEED TO EXIT SIGN.	EXITS TO BE ILLUMINATED AT ANY TIME THE BUILDING IS OCCUPIED WITH LIGHT HAVING INTENSITY OF NOT LESS THAN ONE FOOT-CANDLE AT FLOOR LEVEL. THE POWER SUPPLY FOR EXIT ILLUMINATION HAS BATTERY BACKUP IN THE EVENT OF A POWER FAILURE.
EMERGENCY LIGHT WITH BATTERY BACKUP.	2A. 10BC FIRE EXTINGUISHER, G.C. INSTALL EITHER ON WALL SURFACE, COLUMN, OR ALUMINUM MOUNTING. MOUNTING HEIGHT=3'-6" A.F.F. TO TOP OF EXTINGUISHER. SIZE, TYPE, NUMBER AND LOCATION OF FIRE EXTINGUISHERS SHALL BE INSTALLED ACCORDING TO LOCAL REQUIREMENTS.
SEE SHEET E3 LIGHTING PLAN	PROVIDE TACTILE EXIT SIGNS AT ALL EXITS AS REQUIRED BY NFPA 101 SECTION 7.10.1.3. MOUNT SIGNAGE AT 60" A.F.F. TO CENTERLINE OF SIGN. SEE SHEET A.1.1 FOR DETAILS.

1. THE FOLLOWING IS GENERAL INFORMATION. REFER TO SPECIFICATIONS FOR FLOOR PREPARATION, TILE MANUFACTURER, STYLE, INSTALLATION INSTRUCTIONS, CLEANING AND MAINTENANCE.
2. ALL NEW TILE SHALL BE 12" X 12" X 1/8" VANT FLOOR TILE, WHERE EXISTING TILE IS SHOWN TO REMAIN. NEW TILE REQUIRED TO COMPLETE THE INSTALLATION SHALL MATCH THE EXISTING. IF THE TILE IS NO LONGER AVAILABLE CONSULT THE AUTOZONE PROJECT MANAGER FOR INSTRUCTIONS BEFORE PROCEEDING ANY FURTHER. REFER TO FLOOR PLAN THIS SHEET FOR THE EXTENT OF NEW TILE REQUIRED.
3. PROVIDE TILE TRANSITION STRIPS WHERE TILE STOPS AND CONCRETE FLOOR IS LEFT EXPOSED.
4. 4" BLACK VANT BASE ON ALL WALLS, INCLUDING INTERIOR & EXTERIOR OF ALL RESTROOM WALLS.
5. AT THE COMPLETION OF THE PROJECT, LEAVE ONE UN-OPERED BOX OF FLOOR TILE TO BE GIVEN TO THE PROJECT MANAGER, WHO WILL RETURN IT TO THE MAINTENANCE PERSONNEL.



Architect: LEW ELLIS 123 South Front Street Memphis, Tennessee 38103 TEL: 901-495-8707 FAX: (901) 495-8969		AutoZone Store No. 5040 6348 GENDER ROAD CANAL WINCHESTER OH 43110		REVISIONS	
For Bidding & Contractor Information Contact: McGraw - Hill Construction Tel. 615-884-1017 www.construction.com		FIXTURE / EGRESS / TILE / FLOOR PLAN / DETAILS / NOTES		1	04-07-17
6W2-REMODEL				2	05-18-17
01-04-17				3	
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				6	



1. STORAGE NOTES:
THE DRAWINGS WILL PURISH SIGNS UNLESS SPECIFICALLY NOTED ON THE DRAWINGS OTHERWISE. AUTOZDZEN'S SIGN VENDOR WILL PROVIDE FOR THE INSTALLATION OF HOSE SIGNS ON FOUNDATIONS AND WALL SURFACES THAT ARE FURNISHED AND PREPARED BY GENERAL CONTRACTOR.
2. SIGN INSTALLER SHALL OBTAIN SIGN PERMITS AND GENERAL CONTRACTOR SHALL OBTAIN FOUNDATION PERMIT FOR FREEZING/DRIVING SIGN.
3. GENERAL CONTRACTOR IS RESPONSIBLE FOR INSTALLATION/COMMODATION, PRIMARY ELECTRICAL, AND FINAL ELECTRICAL HOOK-UP SEE "SIV" SHEETS FOR ADDITIONAL INFORMATION.
4. SEE SHEET E3 FOR LOCATIONS OF J-BOXES TERMINATING EACH WALL SIGN CIRCUIT

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